

**BOARD OF NURSING  
MEETING MINUTES  
JULY 21, 2011**

**PRESENT:** Kay Coppens, Maria Joseph, Rachelle Lancaster (excused at 4:28 p.m.), Gretchen Lowe, Julia Nelson, Carol Ott, Nelson Soler, Lou Ann Weix

**EXCUSED:** None.

**STAFF:** Dan Williams, Bureau Director; Colleen Baird, Legal Counsel; Kimberly Wood, Bureau Assistant; Sharon Henes, Paralegal; and other Department Staff

**GUESTS:** Judith F. Warmuth, Wisconsin Hospital Association (WHA); Rita Cordova, Chris Montagnino, Karen Kapke, Myra Michelle DeBose, and Brian Willison, Herzing University; Rebekah Carey, Amanda Passint, Sheryl Scott, and Nancy Stuever, Wisconsin Lutheran College; Lorraine Zoromski and Luann Theis, Northcentral Technical College; JoAnn Appleyard and Susan Dean-Baar, University of Wisconsin – Milwaukee (College of Nursing); Deb Jenks, Milwaukee School of Engineering – School of Nursing; Julie Luetschwager, Marian University; Ann Marie Marlier and Sharyl Tarantino, Bryant and Stratton; David Dies, Educational Approval Board; Debra Dahlke, Wisconsin Association of Nurse Anesthetists (WANA); Gina Dennik-Champion, Wisconsin Nursing Association (WNA); Stacy Halvez, WNA Nurse Policy Intern; Rachel Gallagher, Department of Public Instruction (DPI)

**CALL TO ORDER**

Lou Ann Weix, Vice Chair, called the meeting to order at 10:02 a.m. A quorum of eight (8) members was present.

**APPROVAL OF AGENDA**

**Amendments to the Agenda:**

- After Item “C” (open session) Prior to the agenda item titled: “Report of Education and Licensure Committee”
  - **ADD:** “Board Consideration of Request Submitted by the Nurse Licensure Compact (NLC) for Letter of Recommendation to be Sent to Illinois”
- After Item “C” (open session) Under the agenda item titled: “Travel Requests or Speaking Engagements”
  - **ADD:** “Consider Designation of Board Representative to Attend the 2011 NCLEX Conference – September 26, 2011 – San Francisco, CA”
- After Item “D” (closed session) Under the agenda item titled: “Deliberation of Monitoring or Any Received After the Agenda Submission Deadline – Consideration of the Following Item(s) 1. Julia Wilcox, R.N., A.P.N.P. – Requesting Modification” – Please note the inclusion of additional information: Affinity Health Systems – Psychological Evaluation
- After Item “D” (closed session) Under the agenda item titled: “Deliberation of Monitoring or Any Received After the Agenda Submission Deadline – Consideration of the Following Item(s) 7. Delores Moyer, R.N. – Requesting Modification” – Please note the inclusion of additional information: Pathway Health Services Reports 9/9 – 5/10
- After Item “D” (closed session) Under the agenda item titled: “Deliberation of Monitoring or Any Received After the Agenda Submission Deadline – Consideration of the Following Item(s)”
  - **ADD:**
    - 1. “Jesse Coughlin, R.N. – Consideration of Violation of Board’s Order”

2. "Aron Fennell, L.P.N. – Consideration of Modification of Board's Order"
- After Item "E" (closed session) Under the agenda item titled: "Deliberation of Proposed Stipulations and Final Decisions and Orders or Any Received After the Agenda Submission Deadline – Consideration of the Following Item(s)" Please amend the agenda as outline below:
- 4. Martha Carol Taglia, L.P.N. (DOE Case # 10 NUR 210) – **Replacement:** Please replace the documents in the packet with the new information.
  - **REMOVE:** 13. Michael Honeycutt, L.P.N. (DOE Case # 10 NUR 280)
  - **ADD:**
    - 1. Kelly Benjamin, R.N. (DOE Case # 09 NUR 317)
    - 2. Vyacheslav Dubrovsky, R.N. (DOE Case # 09 NUR 307)
    - 3. Timothy J. Gibneski, R.N. (DOE Case # 11 NUR 155)
    - 4. Andrea Kempinski, R.N. (DOE Case # 10 NUR 235)
    - 5. Kathleen Whalen, R.N. (DOE Case # 10 NUR 125)
- After Item "F" (closed session) Under the agenda item titled: "Deliberation of Issuance of Administrative Warning(s) or Any Received After the Agenda Submission Deadline – Consideration of the Following Item(s)" Please amend the agenda as outline below:
- 1. 06 NUR 323 – **Replacement:** Please replace the documents in the packet with the new information.

**MOTION:** Julia Nelson moved, seconded by Maria Joseph, to approve the agenda of July 21, 2011 as amended. Motion carried unanimously.

### **APPROVAL OF MINUTES**

**MOTION:** Rachelle Lancaster moved, seconded by Kay Coppens, to approve the minutes of June 2, 2011 as published. Motion carried unanimously.

### **ADMINISTRATIVE REPORT**

Dan Williams, Bureau Director, reported on the following administrative matters:

- Travel Policy Changes:
- The Department has partially lifted its travel freeze for out-of-state travel in circumstances where the state will not incur expense resulting from the travel.
  - The Department has eliminated its requirement for itemized receipt when submitting travel vouchers.
- The Board was advised that Carol Ott will assume the role of Chair of the Education and Licensure Committee at the September meeting and noted that Rachelle Lancaster has resigned as a co-chair of the Committee. Both Rachelle Lancaster and Carol Ott will remain as Liaisons to the Office of Education and Examinations.

### **ELECTION OF OFFICERS**

#### **BOARD CHAIR**

**NOMINATION:** Gretchen Lowe nominated Lou Ann Weix for the Office of Board Chair. Nomination carried unanimously.

Lou Ann Weix, Vice Chair, called for other nominations three (3) times.

Lou Ann Weix was elected as Board Chair.

**ELECTION OF OTHER BOARD OFFICERS AS NECESSARY**

**VICE CHAIR**

**NOMINATION:** Lou Ann Weix nominated Gretchen Lowe for the Office of Vice Chair.  
Nomination carried unanimously.

Lou Ann Weix, Chair, called for other nominations three (3) times.

Gretchen Lowe was elected as Vice Chair.

**PRESENTATION(S) OF PETITION(S) FOR SUMMARY SUSPENSION OR ANY RECEIVED  
AFTER THE AGENDA SUBMISSION DEADLINE**

**9:45 A.M. APPEARANCE: Kevin P. Speiser, R.N. (DOE Case # 11 NUR 141)**

Chad Koplien, Division of Enforcement (DOE) Prosecuting Attorney, presented a petition for summary suspension in the matter concerning Kevin P. Speiser, R.N. (DOE Case # 11 NUR 141). Attorney Koplien distributed an Affidavit of Service to the Board.

Kevin P. Speiser, R.N. and his Attorney Mary Lee Ratzel, appeared before the Board to provide oral arguments in opposition to the petition for summary suspension. Attorney Ratzel distributed two documents to the Board: Affidavit of Kevin P. Speiser, R.N., and Response on Behalf of Kevin P. Speiser, R.N., to Petition for Summary Suspension

**APPEARANCE: RACHEL GALLAGHER, DEPARTMENT OF PUBLIC INSTRUCTION (DPI)  
AND KITTY RAHL, R.N., DIRECTOR OF NURSING – EAU CLAIRE CITY-COUNTY HEALTH  
DEPARTMENT: BOARD DISCUSSION OF DELEGATION, NURSE PRACTICE ACT AND  
SCHOOL NURSING IN WISCONSIN**

Rachel Gallagher, Department of Public Instruction (DPI) appeared before the Board to request that the Board endorse the DPI document titled “Delegation, Consultation, the Nurse Practice Act and School Nursing in Wisconsin”. Kitty Rahl, Eau Claire City-County Health Department, did not appear. Board discussion and consideration of request ensued. Judy Warmuth, WHA, and Gina Dennik-Champion, WNA, provided comments to the Board during the course of this discussion.

**MOTION:** Gretchen Lowe moved, seconded by Rachele Lancaster, to recognize the efforts and work product submitted by Rachel Gallagher, DPI, but to decline the request for Board endorsement of the DPI document titled “Delegation, Consultation, the Nurse Practice Act and School Nursing in Wisconsin”. Motion carried unanimously.

**BOARD CONSIDERATION OF REQUEST SUBMITTED BY THE NURSE LICENSURE  
COMPACT (NLC) FOR LETTER OF RECOMMENDATION TO BE SENT TO ILLINOIS**

Dan Williams, Bureau Director, informed the Board that he received an e-mail request regarding the NLC compact. He explained that it has been requested that the states bordering Illinois to provide a letter of reference as the Illinois Board of Nursing is considering whether to participate in the compact agreement.

**MOTION:** Rachelle Lancaster moved, seconded by Julia Nelson, to authorize Dan Williams to submit a letter to the Illinois Board of Nursing in support of joining the Nurse Licensure Compact, on behalf of the Board. Motion carried unanimously.

### **REPORT OF EDUCATION AND LICENSURE COMMITTEE**

Lou Ann Weix reported to the Board regarding the actions taken at today's Education and Licensure Committee meeting.

#### **Review of Bryant and Stratton Request for Approval to Admit Students to Bachelor of Science in Nursing Program, Second Degree Nursing Program and RN to BSN Program**

**COMMITTEE MOTION:** Rachelle Lancaster moved, seconded by Maria Joseph, to recommend deferral of the decision pertaining to the request submitted by Bryant and Stratton College to admit students to bachelor of science in nursing program, second degree in nursing program, and RN to BSN program. Motion carried unanimously.

**BOARD MOTION:** Gretchen Lowe moved, seconded by Julia Nelson, to accept the recommendation for deferral of the decision pertaining to the request submitted by Bryant and Stratton College to admit students to bachelor of science in nursing program, second degree in nursing program, and RN to BSN program. Motion carried unanimously.

#### **Review of Request for Approval of Chippewa Valley Technical College Educational Administrator**

**COMMITTEE MOTION:** Rachelle Lancaster moved, seconded by Carol Ott, to recommend approval of Kathleen A. Kuznar as Educational Administrator at Chippewa Valley Technical College. Motion carried unanimously.

**BOARD MOTION:** Nelson Soler moved, seconded by Carol Ott, to accept the recommendation for approval of Kathleen A. Kuznar as Educational Administrator at Chippewa Valley Technical College. Motion carried unanimously.

#### **Review of Request for Approval of Herzing University Educational Administrator**

**COMMITTEE MOTION:** Rachelle Lancaster moved, seconded by Carol Ott, to recommend denial of the request for waiver for Myra Michelle DeBose to serve as Educational Administrator at Herzing University. Motion carried unanimously.

**BOARD MOTION:** Julia Nelson moved, seconded by Nelson Soler, to accept the recommendation for denial of the request for waiver for Myra Michelle DeBose to serve as Educational Administrator at Herzing University. Motion carried unanimously.

**COMMITTEE MOTION:** Rachelle Lancaster moved, seconded by Nelson Soler, to recommend that the Herzing University interim Educational Administrator, Rita Cordova, continue in her role, and the at the Board allow Myra Michelle

DeBose to serve as co-educational administrator through October of 2012. Motion carried unanimously.

**BOARD MOTION:**

Rachelle Lancaster moved, seconded by Maria Joseph, to accept the recommendation that the Herzing University interim Educational Administrator, Rita Cordova, continue in her role, and the at the Board allow Myra Michelle DeBose to serve as co-educational administrator through October of 2012. Motion carried unanimously.

**Review of Herzing University NCLEX-RN Pass Rate Improvement Plan**

***COMMITTEE MOTION:***

Carol Ott moved, seconded by Rachelle Lancaster, to recommend deferral of the review of the NCLEX-RN pass rate improvement plan submitted by Herzing University until the September 2011 meeting. Motion carried unanimously.

**BOARD MOTION:**

Rachelle Lancaster moved, seconded by Nelson Soler, to accept the recommendation for deferral of the review of the NCLEX-RN pass rate improvement plan submitted by Herzing University until the September 2011 meeting. Motion carried unanimously.

**Review of Marian University NCLEX-RN Pass Rate Improvement Plan**

***COMMITTEE MOTION:***

Rachelle Lancaster moved, seconded by Carol Ott, to recommend approval of the NCLEX-RN pass rate improvement plan submitted by Marian University, and to request an updated report after receipt of Quarter 1, 2012 data, and to recommend that Marian University consider decreasing its number of enrollees. Motion carried unanimously.

**BOARD MOTION:**

Gretchen Lowe moved, seconded by Maria Joseph, to accept the recommendation for approval of the NCLEX-RN pass rate improvement plan submitted by Marian University, and to request an updated report after receipt of Quarter 1, 2012 data, and to recommend that Marian University consider decreasing its number of enrollees. Motion carried unanimously.

***COMMITTEE MOTION:***

Rachelle Lancaster moved, seconded by Carol Ott, to recommend that the Board draft a letter to Marian University complementing the submitted NCLEX-RN pass rate improvement plan and making recommendations as outlined in the previous motion. Motion carried unanimously.

**BOARD MOTION:**

Rachelle Lancaster moved, seconded by Julia Nelson, to accept the recommendation that the Board draft a letter to Marian University complementing the submitted NCLEX-RN pass rate improvement plan and making recommendations as outlined in the previous motion. Motion carried unanimously.

**Review of Milwaukee School of Engineering (School of Nursing) NCLEX-RN Pass Rate Improvement Plan**

**COMMITTEE MOTION:** Carol Ott moved, seconded by Gretchen Lowe, to recommend that a congratulatory letter be sent to Milwaukee School of Engineering (School of Nursing) based upon Quarter 1, 2011 data showing that NCLEX- RN pass rates are no longer significantly below the national average, and that they be removed from monitoring status. Motion carried unanimously.

**BOARD MOTION:** Nelson Soler moved, seconded by Julia Nelson, to accept the recommendation for that a congratulatory letter be sent to Milwaukee School of Engineering (School of Nursing) based upon Quarter 1, 2011 data showing that NCLEX- RN pass rates are no longer significantly below the national average, and that they be removed from monitoring status. Motion carried unanimously.

**Review of Northcentral Technical College NCLEX-RN Pass Rate Improvement Plan**

**COMMITTEE MOTION:** Rachelle Lancaster moved, seconded by Nelson Soler, to recommend approval of the NCLEX-RN pass rate improvement plan submitted by Northcentral Technical College, and to request an updated report after receipt of Quarter 1, 2012 data. Motion carried unanimously.

**BOARD MOTION:** Rachelle Lancaster moved, seconded by Carol Ott, to accept the recommendation for approval of the NCLEX-RN pass rate improvement plan submitted by Northcentral Technical College, and to request an updated report after receipt of Quarter 1, 2012 data. Motion carried unanimously.

**Review of University of Wisconsin – Milwaukee (UW Milwaukee) NCLEX-RN Pass Rate Improvement Plan**

**COMMITTEE MOTION:** Carol Ott moved, seconded by Maria Joseph, to recommend approval of the NCLEX-RN pass rate improvement plan submitted by University of Wisconsin – Milwaukee, and to request an updated report after receipt of Quarter 3, 2011 data. Motion carried. Abstained: Nelson Soler

**BOARD MOTION:** Rachelle Lancaster moved, seconded by Julia Nelson, to accept the recommendation for approval of the NCLEX-RN pass rate improvement plan submitted by University of Wisconsin – Milwaukee, and to request an updated report after receipt of Quarter 3, 2011 data. Motion carried. Abstained: Nelson Soler

**Review of Revised Wisconsin Lutheran College Fall Syllabi – NUR 401, NUR 402, NUR 411, and NUR 412**

**COMMITTEE MOTION:** Gretchen Lowe moved, seconded by Nelson Soler, to recommend approval of the revised Wisconsin Lutheran College fall syllabi: NUR 401, NUR 402, NUR 411 and NUR 412. Motion carried unanimously.

**BOARD MOTION:** Rachelle Lancaster moved, seconded by Kay Coppens, to accept the recommendation for approval of the revised Wisconsin Lutheran College

fall syllabi: NUR 401, NUR 402, NUR 411 and NUR 412. Motion carried unanimously.

### **REPORT OF PRACTICE COMMITTEE**

Julia Nelson reported to the Board that no actions were taken by the Practice Committee at today's meeting.

#### **Consider Posting the Revised Board of Nursing Practice Questions Policy to the Department Website**

**COMMITTEE MOTION:** Lou Ann Weix moved, seconded by Gretchen Lowe, to recommend that the revised Board of Nursing practice question policy be posted to the Department website. Motion carried unanimously.

**BOARD MOTION:** Nelson Soler moved, seconded by Maria Joseph, to accept the recommendation that the revised Board of Nursing practice question policy be posted to the Department website. Motion carried unanimously.

### **TRAVEL REQUESTS OR SPEAKING ENGAGEMENTS**

#### **Consider Designation of Board Representative to Attend the 2011 NCLEX Conference – September 26, 2011 – San Francisco, CA**

Dan Williams informed the Board that the National Council of State Boards of Nursing has confirmed that it will provide funding for a member of the Board to attend the 2011 NCLEX Conference.

**MOTION:** Rachelle Lancaster moved, seconded by Maria Joseph, to designate Carol Ott to attend the 2011 NCLEX Conference on September 26, 2011, San Francisco, CA, on behalf of the Board. Motion carried unanimously.

### **CLOSED SESSION**

**MOTION:** Rachelle Lancaster moved, seconded by Kay Coppens to convene to closed session pursuant to Wisconsin State statutes 19.85(1)(a)(b)(f) and (g) for the purpose of conducting appearances, reviewing monitoring requests, requests for licensure, deliberate on stipulations, administrative warnings, proposed decisions and orders, consulting with Legal Counsel and Division of Enforcement case status reports. Roll Call Vote: Kay Coppens-yes; Maria Joseph-yes; Rachelle Lancaster-yes; Gretchen Lowe-yes; Julia Nelson-yes; Carol Ott-yes; Nelson Soler-yes; and Lou Ann Weix-yes. Motion carried unanimously.

The Board convened into Closed Session at 11:31 a.m.

*(Rachelle Lancaster was excused at 4:28 p.m.)*

### **RECONVENE TO OPEN SESSION**

**MOTION:** Julia Nelson moved, seconded by Kay Coppens, to reconvene into open session. Motion carried unanimously.

The Board reconvened into Open Session at 4:29 p.m.

**VOTING ON ITEMS CONSIDERED OR DELIBERATED ON IN CLOSED SESSION IF VOTING IS APPROPRIATE**

**MOTION:** Julia Nelson moved, seconded by Maria Joseph, to reaffirm all motions made in closed session. Motion carried unanimously.

**DELIBERATION OF MONITORING OR ANY RECEIVED AFTER MAILING OF THE AGENDA**

**11:00 A.M. APPEARANCE: JULIE WILCOX, R.N., A.P.N.P.  
REQUESTING MODIFICATION**

Julie Wilcox, R.N., A.P.N.P., appeared before the Board to answer questions regarding her request for modifications. The Board received paper copies of a psychological evaluation for Ms. Wilcox.

**MOTION:** Rachelle Lancaster moved, seconded by Kay Coppens, to grant Julie Wilcox, R.N., A.P.N.P.'s request for full licensure. Motion carried. Opposed – One (1)

**KRISTI FITZGERALD, R.N.  
REQUESTING FULL LICENSURE**

**MOTION:** Gretchen Lowe moved, seconded by Rachelle Lancaster, to grant Kristi Fitzgerald, R.N.'s request for full licensure. Motion carried unanimously.

**BRENDA VANDEN LANGENBERG, R.N.  
REQUESTING FULL LICENSURE**

**MOTION:** Rachelle Lancaster moved, seconded by Nelson Soler, to grant Brenda Vanden Langenberg, R.N.'s request for full licensure. Motion carried unanimously.

**HEDY KLINGER, R.N.  
REQUESTING REINSTATEMENT OF LICENSE**

**MOTION:** Nelson Soler moved, seconded by Rachelle Lancaster, to deny Hedy Klinger, R.N.'s request for reinstatement of license and to grant a reduction in the frequency of drug screens to forty-eight (48) per year with one (1) annual hair test and requests the submission of a report from her probation officer. Reason for Denial: Per the Board Order. Motion carried unanimously.

**JILL GUSTAFSON, R.N.  
REQUESTING MODIFICATION**

**MOTION:** Rachelle Lancaster moved, seconded by Maria Joseph, to deny Jill Gustafson, R.N.'s request for access to controlled substances and a decrease in the frequency of drug screens. The Board requested a letter of clarification from her medical provider explaining dilute and abnormal drug screens to include a list of her current prescriptions. Additionally, the Board requested from Ms. Gustafson an explanation as to why she is not testing positive for the medications she has been prescribed. Reason for Denial: Length of time under Board Order. Motion carried unanimously.

**SHELLY HOLMES, R.N.**



**REQUESTING MODIFICATION**

**MOTION:** Rachelle Lancaster moved, seconded by Nelson Soler, to grant Shelly Holmes, R.N.'s request for and extension of her limited license for the sole purpose of completing the RN nurse refresher course, adjusting the expiration date to March 1, 2012. Motion carried unanimously.

**DELORES MOYER, R.N.  
REQUESTING MODIFICATION**

The Board was provided with Pathway Services, Inc. compliance audit reports regarding Harbor House, Sheboygan.

**MOTION:** Gretchen Lowe moved, seconded by Julia Nelson, to deny Delores Moyer, R.N.'s request for reinstatement and for removal of audit requirements. Reason for Denial: Per Board Order. Motion carried unanimously.

**ANNA QUINTANA, R.N.  
REQUESTING MODIFICATION**

**MOTION:** Nelson Soler moved, seconded by Maria Joseph, to grant Anna Quintana, R.N.'s request for reduction in the frequency of drug screens to fourteen (14) per year with one (1) annual hair test. Motion carried unanimously.

**LISA WICKLINE, R.N.  
REQUESTING MODIFICATION**

**MOTION:** Rachelle Lancaster moved, seconded by Julia Nelson, to deny Lisa Wickline, R.N.'s request for reduction in the frequency of drug screens to fourteen (14) per year with one (1) annual hair test. Reason for Denial: Length of time under Order. Motion carried unanimously.

**JESSE COUGHLIN, R.N.  
CONSIDERATION OF VIOLATION OF BOARD'S ORDER\*\***

**MOTION:** Nelson Soler moved, seconded by Rachelle Lancaster, to defer deliberation of the matter concerning Jesse Coughlin, R.N. until the September meeting. Motion carried unanimously.

**ARON FENNELL, L.P.N.  
CONSIDERATION OF MODIFICATION OF BOARD'S ORDER\*\***

**MOTION:** Gretchen Lowe moved, seconded by Kay Coppens, to modify the order of Aron Fennell, L.P.N. to include drug and alcohol treatment requirements as set forth in the Board's standards impairment order paragraph C-D, per recommendations in psychological evaluation. Motion carried unanimously.

*(\*\* Items received after mailing of the agenda.)*

**Deliberation of Proposed Stipulations and Final Decisions and Orders or Any Received After the Mailing of the Agenda**

1. Cathy Butterbrodt-Oines, R.N. (DOE Case # 11 NUR 065)
2. Julie Capodarco, L.P.N. (DOE Case # 11 NUR 112)
3. Martha Carol Taglia, L.P.N. (DOE Case # 10 NUR 210) – **Replacement Stipulation Distributed**
4. Michael Christel, L.P.N. (DOE Case # 11 NUR 129)
5. Mary Jane Connor, R.N. (DOE Case # 10 NUR 220)
6. Lynette Duley, R.N. (DOE Case # 11 NUR 071)
7. Stella Fields, L.P.N. (DOE Case # 10 NUR 625)
8. Pamela Hadlock, R.N. (DOE Case # 10 NUR 379)
9. Nancy Halbrook, L.P.N. (DOE Case # 10 NUR 141)
10. David Hammond, R.N. (DOE Case # 10 NUR 575)
11. Frank Hughes, R.N. (DOE Case # 09 NUR 389)
12. Nelleca Johnson, L.P.N. (DOE Case # 10 NUR 403)
13. Kathleen M. Lemke, R.N., A.P.N.P. (DOE Case # 07 NUR 075)
14. Puronica Leonard-Kroupa, R.N. (DOE Case # 11 NUR 084)
15. Erik Lull, R.N. (DOE Case # 10 NUR 514)
16. Laura Nelson, R.N. (DOE Case # 10 NUR 073)
17. Theresa Nelson, R.N. (DOE Case # 11 NUR 023)
18. Gold Omereonye, R.N. (DOE Case # 07 NUR 292)
19. Rebecca Opperman-Vana, L.P.N. (DOE Case # 11 NUR 111)
20. Thomas Peterson, R.N. (DOE Case # 11 NUR 095)
21. Sue Schindler, R.N. (DOE Case # 11 NUR 094)
22. Regina Swenson, R.N. (DOE Case # 10 NUR 499)
23. Leah Tanner, R.N. (DOE Case # 09 NUR 404)
24. Susan Trefny, R.N. (DOE Case # 11 NUR 127)
25. Kelly Benjamin, R.N. (DOE Case # 09 NUR 317)\*\*
26. Vyacheslav Dubrovsky, R.N. (DOE Case # 09 NUR 307)\*\*
27. Timothy J. Gibneski, R.N. (DOE Case # 11 NUR 155)\*\*
28. Kathleen Whalen, R.N. (DOE Case # 10 NUR 125)\*\*

**MOTION:** Julia Nelson moved, seconded by Rachelle Lancaster, to adopt the Findings of Fact, Conclusions of Law, Stipulation and Order in the matter of disciplinary proceedings against the individuals listed above. Motion carried unanimously.

**MOTION:** Rachelle Lancaster moved, seconded by Julia Nelson, to reject the Findings of Fact, Conclusions of Law, Stipulation and Order in the matter of disciplinary proceedings against Carly Baker, L.P.N. (DOE Case # 10 NUR 203). Motion carried unanimously.

**MOTION:** Rachelle Lancaster moved, seconded by Julia Nelson, to reject the Findings of Fact, Conclusions of Law, Stipulation and Order in the matter of disciplinary proceedings against Kim Mittelstadt, R.N. A.P.N.P. (DOE Case # 11 NUR 029). Motion carried unanimously.

**MOTION:** Julia Nelson moved, seconded by Rachelle Lancaster, to reject the Findings of Fact, Conclusions of Law, Stipulation and Order in the matter of disciplinary proceedings against Lilamae Colburn, L.P.N. (DOE Case # 11 NUR 180). Motion carried unanimously.

**MOTION:** Rachelle Lancaster moved, seconded by Julia Nelson, to defer the deliberation on the Findings of Fact, Conclusions of Law, Stipulation and Order in the matter of

disciplinary proceedings against Mary E. Rashel, R.N., A.P.N.P. (DOE Case # 09 NUR 424). Motion carried. Opposed – One (1)

**MOTION:** Nelson Soler moved, seconded by Kay Coppens, to defer the deliberation on the Findings of Fact, Conclusions of Law, Stipulation and Order in the matter of disciplinary proceedings against Andrea Kempinski, R.N. (DOE Case # 10 NUR 235)\*\*. Motion carried unanimously.

(\*\* Items received after mailing of the agenda.)

**DELIBERATION OF ISSUANCE OF ADMINISTRATIVE WARNING(S) OR ANY RECEIVED AFTER THE MAILING OF THE AGENDA**

1. 06 NUR 323 – A replacement Administrative Warning was distributed
2. 07 NUR 399
3. 09 NUR 075 – W.B.
4. 09 NUR 075 – D.W.
5. 10 NUR 042
6. 10 NUR 244
7. 10 NUR 616
8. 11 NUR 107
9. 11 NUR 158
10. 11 NUR 167

**MOTION:** Julia Nelson moved, seconded by Rachelle Lancaster, to issue administrative warnings in the matter of the case numbers listed above. Motion carried unanimously.

**MOTION:** Rachelle Lancaster moved, seconded by Maria Joseph, to defer deliberation of the issuance of the administrative warning in the matter of the case number 11 NUR 105. Motion carried. Opposed – One (1)

**DELIBERATION OF PROPOSED FINAL DECISIONS AND ORDERS OR ANY RECEIVED AFTER MAILING OF THE AGENDA**

**Monique R. Bradley, R.N., Respondent – Division of Hearing and Appeals (DHA) Case # DRL-10-0103, DOE Case #'s 09 NUR 393, 10 NUR 223 and 10 NUR 243**

**MOTION:** Rachelle Lancaster moved, seconded by Maria Joseph, to adopt the Findings of Fact, Conclusions of Law, Proposed Decision and Order in the matter of disciplinary proceedings against Monique R. Bradley, R.N., Respondent – DHA Case # DRL-10-0103, DOE Case #'s 09 NUR 393, 10 NUR 223 and 10 NUR 243. Motion carried unanimously.

**Sherri L. Denman, L.P.N., Respondent – DHA Case # DRL-11-0009, DOE Case # 09 NUR 144**

**MOTION:** Rachelle Lancaster moved, seconded by Maria Joseph, to adopt the Findings of Fact, Conclusions of Law, Proposed Decision and Order in the matter of disciplinary proceedings against Sherri L. Denman, L.P.N., Respondent – DHA Case # DRL-11-0009, DOE Case # 09 NUR 144. Motion carried unanimously.

**Megan H. Hila, L.P.N., Respondent – DHA Case # DRL-11-0026, DOE Case # 10 NUR 533**

**MOTION:** Rachelle Lancaster moved, seconded by Maria Joseph, to adopt the Findings of Fact, Conclusions of Law, Proposed Decision and Order in the matter of disciplinary proceedings against Megan H. Hila, L.P.N., Respondent – DHA Case # DRL-11-0026, DOE Case # 10 NUR 533. Motion carried unanimously.

**Staareze Mickelson, L.P.N., Respondent – DHA Case # DRL-11-0033, DOE Case # 10 NUR 349**

**MOTION:** Rachelle Lancaster moved, seconded by Maria Joseph, to adopt the Findings of Fact, Conclusions of Law, Proposed Decision and Order in the matter of disciplinary proceedings against Staareze Mickelson, L.P.N., Respondent – DHA Case # DRL-11-0033, DOE Case # 10 NUR 349. Motion carried unanimously.

**Jeanne M. Weingart, R.N., Respondent – DHA Case # DRL-11-0027, DOE Case # 09 NUR 394**

**MOTION:** Rachelle Lancaster moved, seconded by Maria Joseph, to adopt the Findings of Fact, Conclusions of Law, Proposed Decision and Order in the matter of disciplinary proceedings against Jeanne M. Weingart, R.N., Respondent – DHA Case # DRL-11-0027, DOE Case # 09 NUR 394. Motion carried. Abstained: Lou Ann Weix

*(Lou Ann Weix left the room for deliberation and voting in the matter of disciplinary proceedings against Jeanne M. Weingart, R.N., Respondent – DHA Case # DRL-11-0027, DOE Case # 09 NUR 394.)*

**James P. Williams, R.N., Respondent – DHA Case # DRL-11-0014, DOE Case # 09 NUR 365**

The Board was provided with the Respondents Objections to the Proposed Decision and the State's Response to Respondent's Objections during its deliberation of this matter.

**MOTION:** Rachelle Lancaster moved, seconded by Maria Joseph, to adopt the Findings of Fact, Conclusions of Law, Proposed Decision and Order in the matter of disciplinary proceedings against James P. Williams, R.N., Respondent – DHA Case # DRL-11-0014, DOE Case # 09 NUR 365. Motion carried. Abstained: Gretchen Lowe

*(Gretchen Lowe left the room for deliberation and voting in the matter of disciplinary proceedings against James P. Williams, R.N., Respondent – DHA Case # DRL-11-0014, DOE Case # 09 NUR 365.)*

**Jamie Zakaras, R.N., Respondent – DHA Case # DRL-11-0020, DOE Case #'s 10 NUR 447 and 10 NUR 558**

**MOTION:** Rachelle Lancaster moved, seconded by Maria Joseph, to adopt the Findings of Fact, Conclusions of Law, Proposed Decision and Order in the matter of disciplinary proceedings against Jamie Zakaras, R.N., Respondent – DHA Case # DRL-11-0020, DOE Case #'s 10 NUR 447 and 10 NUR 558. Motion carried unanimously.

**DELIBERATION IN THE MATTER OF APPLICATION FOR REGISTERED NURSE LICENSE OF  
TODD VARNES**

**Order on Respondent's Motion for Pre-Hearing Determination of Legal Standards to be Applied in  
Application for Licensure and Admissibility of Evidence (DHA Case #'s DRL-10-0088 and 10 NUR  
433)**

**MOTION:** Rachelle Lancaster moved, seconded by Maria Joseph, to admit Todd Varnes to the NCLEX examination and upon verification of successful passage he shall appear before the Board for consideration of license limitations. Motion carried unanimously.

**DELIBERATION ON PETITION(S) FOR SUMMARY SUSPENSION OR ANY RECEIVED AFTER  
THE AGENDA SUBMISSION DEADLINE**

**Kevin P. Speiser, R.N. (DOE Case # 11 NUR 141)**

**MOTION:** Nelson Soler moved, seconded by Kay Coppens, to deny the petition for summary suspension in the matter of disciplinary proceedings against Kevin P. Speiser, R.N. (DOE Case # 11 NUR 141) based upon all information presented including new information presented at the suspension proceedings. Motion carried unanimously.

**DIVISION OF ENFORCEMENT**

**Case Status Report**

The Board received a report outlining its pending enforcement cases.

**Case Closings**

1. 06 NUR 322 – No Violation
2. 10 NUR 031 – No Violation
3. 10 NUR 305 – Prosecutorial Discretion (P6) – *Against All Respondents*
4. 11 NUR 048 – Prosecutorial Discretion (P6)
5. 11 NUR 087 – No Violation – *Against Both Respondents*
6. 11 NUR 145 – No Violation
7. 11 NUR 207 – Insufficient Evidence
8. 11 NUR 284 – Prosecutorial Discretion (P5)
9. 10 NUR 224 – Prosecutorial Discretion (P5)
10. 11 NUR 118 – Prosecutorial Discretion (P7)
11. 11 NUR 225 – No Jurisdiction
12. 10 NUR 282 – Prosecutorial Discretion (P5)
13. 11 NUR 176 – Prosecutorial Discretion (P5)
14. 11 NUR 183 – Prosecutorial Discretion (P7)
15. 10 NUR 035 – Prosecutorial Discretion (P1)
16. 07 NUR 283 – Insufficient Evidence
17. 09 NUR 075 – No Violation – *Against J.H.*
18. 09 NUR 426 – Prosecutorial Discretion (P5)
19. 10 NUR 439 – No Jurisdiction
20. 11 NUR 197 – No Jurisdiction
21. 11 NUR 260 – Prosecutorial Discretion (P5)
22. 11 NUR 261 – Prosecutorial Discretion (P5)
23. 11 NUR 309 – Administrative Closure

**MOTION:** Gretchen Lowe moved, seconded by Julia Nelson, to close the cases listed as identified above. Motion carried unanimously.

**MOTION:** Rachelle Lancaster moved, seconded by Julia Nelson, not close case 11 NUR 291.  
Motion carried unanimously.

**ADJOURNMENT**

**MOTION:** Gretchen Lowe moved, seconded by Kay Coppens, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 4:35 p.m.